

24 July  
JMM/8LC  
① Recommend that JMM  
recommend Colby's signature  
on attached letter to Hampton,  
CSC, on Federal Executive  
Service

② Note on pink routing sheet  
I believe is self explanatory.

③ Harry Fisher concurs in  
the draft - his principal concern  
being that it may be overdoing &  
counterproductive, but on  
balance he agrees ~~with~~ with  
this approach.

Mr. Robert E. Hampton, Chairman  
Civil Service Commission  
1900 E. Street, N. W.  
Washington, D. C. 20415

Dear Mr. Hampton *Chairman*

This letter is prompted by the recent Senate approval of S. 1682 and is written in the light of our understanding of the position of the Commission concerning the applicability of federal executive service legislation to this Agency.

Although S. 1682 authorizes the President to exclude agencies from the "Federal Executive Service," there are other provisions in the bill which would apply even to those agencies which have been so excluded. For example, *(?) Section* section 3(d) establishes a right of appeal to the Commission if an employee *feels* there has been a violation of rights granted him under the provisions of the bill, which do apply to excluded agencies. The conflict this could raise with certain statutory authorities and responsibilities involving tenure for Agency employees and protection of intelligence sources and methods has been already covered in detail in a letter from Mr. Harry Fisher to Mr. Seymour Berlin dated 18 April 1972.

It is our understanding that the House Committee version of this legislation is still in draft form but that it will provide for a full and specific exemption for this Agency and its employees, and that the Commission is optimistic that this version will prevail in the Congress.

We appreciate your continued understanding and appreciation of our position and the importance we attach to it.

OFFICIAL ROUTING SLIP

TO		DATE	INITIALS
1			
2			
3			
4			
5			
6			

ACTION	DIRECT REPLY	PREPARE REPLY
APPROVAL	DISPATCH	RECOMMENDATION
COMMENT	FILE	RETURN
CONCURRENCE	INFORMATION	SIGNATURE

Remarks:

O.K. as discussed - I had been holding draft because of my concern that we might be oversteering - on balance I'm ready to go with your draft

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.

DATE

20 JUL 1972

<b>TRANSMITTAL SLIP</b>		DATE 3 July 1972	
TO: Mr. Fisher			
ROOM NO.	BUILDING		
REMARKS:  Per our conversation of the other day, I think it would be a good idea to get a letter off to Hampton on the Federal Executive Service bills if you agree. How about the attached?			
FROM: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span>		OLC	
ROOM NO.	BUILDING	EXTENSION <span style="border: 1px solid black; display: inline-block; width: 50px; height: 1.2em; vertical-align: middle;"></span>	
FORM NO. 241 1 FEB 55		REPLACES FORM 36-8 WHICH MAY BE USED.	

(47)